REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES

FOR THE YEAR

1878-79.

Calcutta:
PRINTED AT THE BENGAL SECRETARIAT PRESS.
1879.

No. 16.

FROM

THE JUDGES, CALCUTTA COURT OF SMALL CAUSES,

TO

THE SECRETARY TO THE GOVERNMENT OF BENGAL,

JUDICIAL DEPARTMENT.

Fort William, the 23rd June 1879.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the annual report of the business of this Court for the year 1878-79, ending 31st March last.

1. The number of cases instituted in the Court during the year was 37,681, being an increase of 4,171 over the number instituted during the year ending 31st March 1878. The average number of cases for each day was 143·8.

2. The following comparative table shows the increase and decrease of institutions during the year :—

VALUE OF SUITS.	In 1877-78.	In 1878-79.	Increase.	Decrease.
Up to Rs. 5	7,267	8,559	1,292	.....
„ „ 10	6,454	7,252	798	.....
„ „ 20	6,926	7,638	712	.....
„ „ 50	6,426	7,260	834	.....
„ „ 100	2,840	3,037	197	.....
„ „ 200	1,654	1,850	196	.....
„ „ 300	681	743	62	.....
„ „ 400	352	364	12	.....
„ „ 500	326	345	19	.....
„ „ 600	192	198	6	.....
„ „ 700	159	134	.....	25
„ „ 800	102	105	3	.....
„ „ 900	95	96	1	.....
„ „ 1,000	79	120	41	.....
Above „ 1,000	57	80	23	.....
Total	33,510	37,681	4,196	25
Deduct decrease	.....	.....	25	.....
Net increase	.....	.....	4,171	.....

3. The amount in litigation was Rs. 18,70,566-3-3 : Rs. 3,83,978-1-3½ was paid into Court and Rs. 3,76,965-5-7½ was paid out of Court.

4. The receipts on account of commission and fees, &c., have been Rs. 2,43,669-8-1.

Deduct—

	Rs.	A.	P.	Rs.	A.	P.
Salaries of the Judges	73,448	6	1			
Cost of establishment	83,519	6	4			
Contingent expenses	1,425	0	6			
Bailiffs' commission	4,171	0	0			
Total ...	1,62,563	12	11			
Balance to the credit of the Court				81,105	11	2

5. The disposal of cases set down for hearing during the year is exhibited as follows:—

Number of cases pending in 1877-78		1,490
Ditto instituted in 1878-79		37,681
Total ...		39,171
Decreed in favour of plaintiffs after trial	8,841	
Ditto ditto *ex parte*	8,109	
Dismissed after trial	1,423	
Nonsuited	2,096	
Compromised	13,700	
Struck off in default of plaintiff	3,358	
Pending at the close of the year	1,644	
Total ...		39,171

6. By a letter from the Secretary to the Government of Bengal, No. 1884, dated the 17th April 1879, to the First Judge, we had the option to draw up our report "for the whole year 1878, for the nine months from the 1st April to the 31st December 1878, or for the financial year 1878-79, as we might find most convenient." This letter was not received till the 21st April last, and as it would then have been highly inconvenient to change the former order of things, we have adopted the latter course. While referring to this matter, we desire to know whether the next report should be drawn up for the whole year 1879, or for the nine months of 1879, commencing from the 1st April.

7. The year under review is the largest on record, the number of cases instituted being 437 in excess of any previous year. The largest year previous to this was 1865-66, when 37,324 cases were instituted: 10,264 cases were disposed of after a complete trial, as against 8,904 in the previous year.

8. It is not always easy to account for the fluctuations either in the number or in any particular class of suits; but we may mention the following facts which may to some extent account for the state of the files of this year. The year 1877 was a year of great activity in trade; while, since the expiry of that year, trade has been considerably depressed. Accordingly, we are able to trace some few suits to the trade of 1877, and to say that, when a sudden depression of trade follows a year of great activity, both creditors and debtors are in want of money; the former being more anxious to obtain payment, and the latter less anxious to pay. These two circumstances would therefore, to some extent, account for a considerable amount of litigation, but not, we think, for the extraordinary increase shown. This, though on the whole steady in respect of all amounts, is very large in cases up to Rs. 5 (most of which are heard by the Fifth Judge) and in cases for goods sold and delivered, there being 15,410 of this class of suits as against 12,836 during the previous years. It may be that the present high rates of provisions of all kinds, which affect the lower classes more than any others, necessitate suits being brought against them; but even if this conjecture is right as regards small cases, we do not think it would account for the increase of suits of nearly all amounts, and more especially of suits of Rs. 1,000 and upwards, where the proportion of increase is higher than in suits of any other amounts. No particular phase of litigation gives us any clue to this.

9. We have altered, to some extent, the classification of suits for the following reason. Shortly after the commencement of the year it was ascertained that the clerks of the various Benches had not been classifying them on the same principle. The difference arose more especially in the case of Bengali khuts. A Bengali khut, strictly speaking, is neither a bill-of-exchange nor a promissory note, but rather a bond; so that suits on khuts had been classified under various headings, but generally under the three headings "bills-of-exchange and promissory notes," "money lent," and "other actions on

contract." On ascertaining this, rules for the guidance of the clerks were immediately issued by the First Judge; and for the future we hope the classification will be more uniform. Hence it will be found that last year there were 1,853 suits on "bills-of-exchange and promissory notes," and this year 4,475 suits in "bills-of-exchange, bonds, and promissory notes," and that there is an apparent falling off on suits for "money lent" and "other suits on contract." The largest number of cases exhibited under the first-mentioned heading are suits on native khuts instituted by *kisteewallahs*, a peculiar class of money-lenders to be found in no other part of Bengal, who lend money at a ruinously high rate of interest, namely, 75 per cent. per annum. The period of loan in all cases is 2 months and 12 days. Anticipation interest is deducted at the time of the loan and is treated as principal in default being made in payment on the due date. The victims of these men are taken mostly from the lowest and poorest class in the town, and are largely composed of women, for every member of the family is made to join in the bond. Once in the hands of these men, it is most difficult to get a release. Interest goes on accumulating and bond after bond is renewed. The original debt may have been paid 10 times over, but yet there is always a large sum of principal and interest brought out as due. These at times are amongst the most difficult cases we have to deal with, for the kisteewallahs' books, accounts, and khuts are all apparently in order; while the defendants, being chiefly ignorant and illiterate persons, can give no complete answers to the claim, or furnish any evidence that can be relied upon; and the only relief we can give in any case is to make the debt payable by easy instalments. But here, again, instead of the money being paid into Court, a fresh agreement is entered into by the parties, and the defendants again find themselves in the hands of these men.

10. We are glad to be able to state that the conduct of the bailiffs has, on the whole, been satisfactory. Until sanction was accorded, in August last, for the three additional bailiffs for the purpose of serving the mofussil processes, the ordinary staff were much over-worked, and it is to their credit that there have been so few cases of complaint, and that the number of warrants executed bear the usual proportion to the number of warrants issued.

11. The extension of certain sections of the Code of Civil Procedure has been of great benefit to suitors. Formerly the powers of the Court were much restricted as to the striking off, addition, and substitution of parties on the record. The result was that ignorant parties were often put to much expense and driven to bring fresh suits; but since the extension of those sections of the Code of Civil Procedure which deal with such matters, defects on the record can, on the whole, be fairly remedied. Again, in some instances, suitors were almost debarred of all remedy in this Court if an important witness happened to be out of British India, for this Court then had no power to issue a commission to examine witnesses beyond British India. Now that such power has been granted, we find that there are frequent applications to examine witnesses all over the world, and the advantage has especially been exemplified in a case now pending before the First Judge, involving a question regarding the loss of French steamer *Meikong* off Cape Guardafui in the year 1877, in which it has been found necessary to examine witnesses in France and China.

12. The fees realized on the service of mofussil processes have amounted to Rs. 4,227-2; and as the expense of the establishment kept up for that purpose does not exceed Rs. 490 for this year (such establishment having commenced only in September last), the net revenue to Government has been about Rs. 3,737.

13. In the course of the year a material change has been effected in the manner in which sales are conducted by the Appraiser of the Court. The practice was previously to advertize the property for sale in the *Exchange Gazette*, and hold the sale on the following day. Such a course was, however, little calculated to bring together sufficient competition in the number of purchasers, the result being that articles were sold for less value than might have been the case had the number of purchasers been greater. Now Mondays, Wednesdays, and Fridays have been appointed as fixed days for holding sales in the Court premises, and the property to be sold is advertized twice in the *Exchange Gazette*. We believe that this innovation has been of great

benefit both to decree-holders and judgment-debtors, because the public now know that sales take place on fixed days, and the attendance is consequently larger. Statistics show that in 1877-78 the number of cases in which property were sold was 503 and the amount realized was Rs. 21,111. In 1878-79 the number of cases in which property was sold was 602 and the amount realized Rs. 30,919-4. The credit of this change is due to Mr. Douglas White, the Officiating Fifth Judge and Clerk of the Court.

We have the honor to be,

SIR,

Your most obedient servants,

H. MILLETT,
KOONJO LALL BANERJEA,
R. S. T. MACEWEN,
J. V. WOODMAN,
} *Judges.*

No. 1—PART I.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the twenty-ninth year of its institution, viz. from 1st April 1878 to 31st March 1879.

Months.	1			2	3	4	5	6	7	8	9	10	11	12	13	14		15	16	17
	Number of Suits instituted.			The English cases bear to the native cases the ratio of—	Number of summons issued.	Number of second summons issued.	Number of subpœnas issued.	Number of attachments issued.	Number of writs of execution issued.	Number of bench warrants issued.	Number of copies of judgment issued.	Number of commitments issued.	Number of releases issued.	Number of cases referred to arbitration.	Number of warrants to sue and defend filed.	Number of powers filed by attorneys.	Number of powers filed by pleaders.	Number of days on which the Court was open.	Average number of suits instituted.	Amounts litigated on the suits instituted.
	English.	Native.	Total.																	
																				Rs. A. P.
1878.																				
April	563	2,387	2,890	4·7	3,665	197	2,417	2	838	2	28	27	20	58	558	15	543	22	131·3	1,58,505 6 5
May	476	2,489	2,965	5·2	3,812	226	2,534	7	767	6	52	26	24	51	560	31	529	24	123·5	1,75,287 15 8
June	541	2,607	3,148	4·8	4,030	230	2,153	5	860	4	33	45	53	93	546	30	516	24	131·1	1,54,553 12 1½
July	664	3,137	3,801	4·7	4,856	284	3,081	4	933	3	48	38	41	87	681	20	661	27	140·7	1,87,489 8 3
August	517	2,973	3,490	5·7	4,531	266	3,339	7	930	3	34	45	31	63	595	11	584	26	134·2	1,82,930 6 7
September	557	2,810	3,367	5·02	4,285	214	2,669	2	1,103	2	22	46	48	77	878	32	846	21	160·3	1,68,615 12 5
October	159	1,080	1,239	6·7	1,622	66	766	1	341	3	8	21	30	32	151	3	148	8	154·8	54,889 9 7
November	559	3,241	3,800	5·7	4,763	219	2,836	6	913	5	39	44	42	99	600	11	589	25	152	1,62,261 12 6
December	321	1,806	2,127	5·6	2,752	193	1,639	3	665	1	21	29	34	65	424	16	408	16	132·9	1,06,854 5 1
1879.																				
January	537	3,014	3,551	5·6	4,599	195	2,349	1	841	1	36	38	40	78	590	23	567	21	169·9	1,83,763 13 0
February	565	3,032	3,597	5·3	4,619	215	2,834	5	920	1	41	35	30	66	685	29	656	24	149·8	1,59,972 0 5
March	580	3,126	3,706	5·3	4,831	208	3,013	1	874	3	45	55	43	66	623	14	609	24	154·4	1,75,441 13 2½
Total ...	5,979	31,702	37,681	5·3	48,365	2,513	29,521	44	9,985	34	407	449	416	837	6,891	235	6,656	262	143·8	18,70,566 3 3

The Court was closed on account of Sundays	52
Christmas Day, Her Majesty's Birthday, and Good Friday	6
Vacation in December, including New Year's Day, &c.	8
Hindoo holidays including Dusserah vacation	29
Mahomedan holidays	8
Total number of days in which the Court was closed	103
Number of sitting days	262
Total ...	365

Calcutta Court of Small Causes,
The 23rd June 1879.

Douglas White,
Offg. Fifth Judge and Clerk of the Court.

No. 1.—PART II.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the twenty-ninth year of its institution, viz. from 1st April 1878 to 31st March 1879.

Months.	Graduated Digest of Cases Instituted.																Disposal of Suits set down for Hearing.							Commission and fees paid in stamps on suits instituted.	Amount of costs refunded to suitors in cases compromised before hearing, and remitted by order of the Judges.
	Under Rs 5.	Under Rs. 10.	Under Rs. 20.	Under Rs. 50.	Under Rs. 100.	Under Rs. 200.	Under Rs. 300.	Under Rs. 400.	Under Rs. 500.	Under Rs. 600.	Under Rs. 700.	Under Rs. 800.	Under Rs. 900.	Under Rs. 1,000.	Above Rs. 1,000.	Total.	Judgment for plaintiff.	Judgment for defendant.	Struck off.	Non-suited.	Compromised.	Pending.	Total.		
1878.																								Rs. A. P.	Rs. A. P.
April	657	567	555	550	238	132	69	33	23	16	6	8	12	10	14	2,890	1,226	104	299	203	1,184	.....	3,056	23,767 5 6	3,784 0 9
May	650	547	613	548	229	173	65	31	25	28	10	17	5	14	10	2,965	1,362	132	252	167	1,040	.....	2,953	26,326 8 6	4,747 5 9
June	642	601	664	671	261	137	61	35	21	15	17	7	9	5	2	3,148	1,458	118	245	167	1,052	.....	3,020	24,208 3 6	3,794 5 9
July	831	772	752	732	306	197	89	37	22	17	13	9	6	10	8	3,801	1,714	154	299	211	1,353	.....	3,731	28,591 3 0	4,429 1 6
August	750	702	667	706	293	165	76	36	26	16	18	9	7	10	10	3,490	1,534	157	298	183	1,129	.....	3,301	28,025 9 0	5,164 3 6
September	731	613	695	668	247	178	63	37	23	16	17	12	11	5	7	3,367	1,783	134	328	177	1,501	.....	3,923	26,096 3 0	5,509 6 0
October	345	232	226	234	93	51	22	9	5	7	2	3	2	7	1	1,239	339	29	36	38	219	.....	711	8,856 0 0	766 9 0
November	894	785	811	704	283	163	57	27	20	21	5	6	9	11	4	3,800	1,638	110	355	191	1,379	.....	3,673	25,135 7 6	3,374 10 3
December	498	361	456	456	198	107	41	19	16	11	10	7	4	7	2	2,127	1,115	100	257	124	930	.....	2,526	16,634 3 0	2,512 10 6
1879.																									
January	905	662	678	620	256	199	67	35	26	14	11	12	7	20	9	3,551	1,391	91	308	177	1,104	.....	3,071	27,223 8 0	3,210 2 3
February	813	672	753	672	332	177	66	27	17	18	11	9	15	7	8	3,597	1,598	139	346	215	1,366	.....	3,664	26,061 8 6	4,859 14 9
March	823	738	768	711	302	171	67	38	21	19	14	6	9	14	5	3,706	1,743	155	315	243	1,443	.....	3,899	27,168 12 0	4,526 11 3
Total	8,539	7,252	7,638	7,260	3,037	1,850	743	364	245	198	134	105	96	120	80	57,681	16,950	1,423	3,358	2,096	13,700	1,644	37,527	2,87,402 14 6	46,449 1 3

Calcutta Court of Small Causes,
The 23rd June 1879.

Douglas White,
Offg. Fifth Judge and Clerk of the Court.

No. 2.

Comparative Table of Cases set down for hearing from 1st April 1877 to 31st March 1878, and from 1st April 1878 to 31st March 1879, showing how they are disposed of.

		Judgment for plaintiff.	Judgment for defendant.	Nonsuited and struck off.	Compromised.	Total.
April	1877	1,223	109	470	1,052	2,854
	1878	1,296	104	472	1,184	3,056
May	1877	1,410	150	555	1,177	3,292
	1878	1,362	132	419	1,040	2,953
June	1877	1,272	132	411	1,139	2,954
	1878	1,438	118	412	1,052	3,020
July	1877	1,457	184	494	1,121	3,256
	1878	1,714	154	510	1,353	3,731
August	1877	1,437	162	517	1,158	3,274
	1878	1,534	157	481	1,129	3,301
September	1877	1,570	143	504	1,406	3,623
	1878	1,782	134	505	1,501	3,922
October	1877	408	37	143	360	948
	1878	339	29	124	219	711
November	1877	898	99	455	700	2,152
	1878	1,638	110	546	1,379	3,673
December	1877	868	93	377	731	2,069
	1878	1,115	100	381	930	2,526
January	1878	1,175	118	496	949	2,738
	1879	1,391	91	485	1,104	3,071
February	1878	1,231	130	453	1,116	2,930
	1879	1,598	139	561	1,366	3,664
March	1878	1,391	145	507	1,101	3,144
	1879	1,743	155	558	1,443	3,899
Total ...	1878	14,340	1,502	5,362	12,010	33,234
	1879	16,960	1,423	5,454	13,700	37,527

Undecided and postponed after being called for hearing—	
In 1877-78	1,490
In 1878-79	1,644
Postponed after being partly heard in 1878-79 ...	773
Instituted towards the close of the year, but not returnable till after the close of the official year ...	871
Total ...	1,644

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 3.

Statement showing the number of cases pending on the 31st March 1879.

	Number of Cases partly heard and postponed.							Instituted before, but not returnable after the close of the year.	Grand Total.
	For service of summons.	For witnesses.	For attachment.	At the request of the parties to the suit.	Referred to arbitration.	By order of the court.	Total.		
First Judge ...	10	1	.....	18	19	73	121	.....	.....
Second ,, ...	9	4	.....	14	28	44	99	.....	.....
Third ,, ...	35	35	.....	34	36	73	230	.....	.....
Fourth ,, ...	18	20	1	45	50	67	219	.....	.....
Fifth ,, ...	5	5	.....	2	2	90	104	.....	.....
Total ...	75	65	1	111	155	365	773	871	1,644

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 4.

Abstract Statement of Cases set down for hearing and disposed of from 1st April 1878 to 31st March 1879.

Months.	Judgment for plaintiff.	Judgment for defendant.	Struck off.	Nonsuited.	Compromised.	Total number of cases disposed of.	Undecided.	Total number of cases instituted.
1878.								
April	1,296	104	269	203	1,164	3,056	.....	2,890
May	1,362	132	252	167	1,040	2,953	.....	2,965
June	1,433	118	245	167	1,052	3,029	.....	3,148
July	1,714	154	299	211	1,553	3,731	.....	3,801
August	1,534	157	296	185	1,129	3,301	.....	3,490
September	1,782	134	328	177	1,501	3,922	.....	3,367
October	339	29	86	58	219	711	.....	1,239
November	1,638	110	385	191	1,379	3,673	.....	3,800
December	1,115	100	257	124	930	2,526	.....	2,127
1879.								
January	1,391	91	308	177	1,104	3,071	.....	3,551
February	1,598	139	346	215	1,366	3,664	.....	3,597
March	1,743	155	315	243	1,443	3,899	.....	3,706
Total ...	16,950	1,423	3,358	2,006	13,700	37,527	1,644	37,681

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 5.

Comparative Statement of Commission and Fees realized and credited to Government in 1877-78 and in 1878-79.

Months.	1877-78. On account of fees received on the institution and prosecution of suits and on account of distresses for rent.	Months.	1878-79. On account of fees received on the institution and prosecution of suits and on account of distresses for rent.	Total increase of fees in 1878-79.	Total decrease of fees in 1877-78.	Remarks.
1877.	Rs. A. P.	**1878.**	Rs. A. P.	Rs. A. P.	Rs. A. P.	
April	17,467 2 3	April	19,993 4 9	2,526 2 6	.....	
May	19,467 1 6	May	21,579 2 9	2,142 1 3	.....	
June	18,292 9 9	June	20,503 13 9	2,211 4 0	.....	
July	20,689 0 9	July	24,092 1 6	3,403 0 9	.....	
August	21,485 10 0	August	22,860 12 6	1,375 2 6	.....	
September	26,789 4 9	September	20,686 13 0	.....	6,202 7 9	
October	1,419 12 0	October	7,289 7 0	5,869 11 0	.....	
November	19,427 14 0	November	21,760 13 3	2,332 15 3	.....	
December	14,150 10 3	December	14,121 8 6	.....	29 1 9	
1878.		**1879.**				
January	21,417 14 0	January	24,012 5 9	2,594 7 9	.....	
February	18,127 8 3	February	21,521 9 9	3,394 1 6	.....	
March	20,009 13 0	March	22,642 0 9	2,632 3 9	.....	
Total ...	2,18,704 4 6	Total ...	2,40,963 13 3	28,481 2 3	6,231 9 6	

	Rs. A. P.	
Deduct decrease	6,231 9 6	} or an increase of more than 10 per cent. over the receipts of last year.
Net increase	22,249 8 9	

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 6.

Abstract Statement of Sums received and paid out to Suitors and others from 1st April 1878 to 31st March 1879.

1878.			Rs.	A.	P.	1878.			Rs.	A.	P.
To cash received on account of	suitors, &c., in	April	31,061	6	1	By cash paid out to	suitors, &c., in	April	31,676	6	11
Ditto	ditto	May	36,080	12	3	Ditto	ditto	May	38,216	7	0
Ditto	ditto	June	33,715	14	0	Ditto	ditto	June	34,765	5	6
Ditto	ditto	July	43,877	6	4	Ditto	ditto	July	44,467	7	4
Ditto	ditto	Aug.	40,263	8	10	Ditto	ditto	Aug.	33,060	0	3
Ditto	ditto	Sept	35,929	12	1½	Ditto	ditto	Sept.	37,716	5	8½
Ditto	ditto	Oct.	15,754	2	4	Ditto	ditto	Oct.	13,600	6	6
Ditto	ditto	Nov.	25,161	5	3	Ditto	ditto	Nov.	24,058	6	9
Ditto	ditto	Dec.	26,880	0	7	Ditto	ditto	Dec.	25,150	8	2
1879.						1879.					
To cash received on account of	suitors, &c., in	Jan.	30,154	12	3	By cash paid out to	suitors, &c., in	Jan.	33,124	6	10
Ditto	ditto	Feb.	31,331	9	5	Ditto	ditto	Feb.	32,850	8	2
Ditto	ditto	Mar.	34,267	7	10	Ditto	ditto	Mar.	28,237	0	6
	Total	...	3,83,978	1	3½		Total	...	3,76,905	5	7½

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 7.

Table showing the nature of Cases heard and decided from 1st April 1878 to 31st March 1879.

	Months.												
	April 1878.	May 1878.	June 1878.	July 1878.	August 1878.	September 1878.	October 1878.	November 1878.	December 1878.	January 1879.	February 1879.	March 1879.	Total.
Goods sold and delivered ...	1,201	1,148	1,225	1,421	1,302	1,607	283	1,579	1,059	1,327	1,635	1,623	15,410
Bills-of-exchange, bonds, and promissory notes	184	239	338	497	462	529	63	496	340	438	442	427	4,475
Wages	219	202	246	310	225	230	51	261	158	197	209	339	2,647
Work, labour, and materials ...	200	212	235	264	234	292	54	213	180	148	242	248	2,522
For money paid	60	59	39	42	32	45	8	65	24	36	52	79	541
Ditto lent	334	298	225	211	230	234	53	283	146	195	275	268	2,702
Ditto had and received...	78	62	67	92	107	112	16	70	61	77	79	95	916
On an account stated ...	44	36	34	65	45	63	9	34	33	39	21	36	458
For use and occupation ...	403	332	247	394	303	401	56	318	239	291	267	345	3,596
Ditto and hire	40	31	35	58	28	57	13	48	48	44	51	60	513
On judgment	8	6	1	3	8	9	2	9	3	8	5	8	70
On guarantee	13	8	7	23	9	13	4	16	7	6	9	15	130
On balance of account ...	1	3	3	3	6	9	...	2	9	6	3	10	48
Other suits on contract ...	79	107	137	157	162	178	33	163	120	153	204	161	1,654
Trover	45	52	43	50	40	55	11	48	33	50	47	56	530
Case	68	70	51	38	22	11	8	20	19	9	21	29	366
Trespass	2	1	...	...	...	1	...	1	...	...	1	1	7
Board and lodging	18	18	16	20	16	20	6	26	14	17	15	21	209
Assault	12	23	15	27	17	20	3	18	6	9	25	29	204
Cases under Distresses Act, 1875	.....	...	...	...	...	...	...	...	...	...	1	3	4
Interpleador	28	27	26	29	29	29	13	27	16	10	35	27	289
Ejectment	18	20	29	18	24	21	3	26	11	11	25	18	224
Against executor	1	...	1	...	...	...	...	...	...	...	...	1	3
Total ...	3,086	2,958	3,090	3,731	3,301	3,922	711	3,673	2,526	3,071	3,664	3,899	37,527

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 8.

Statement showing the Statistics of the Distraint Department of the Court, under Act I of 1875, *from* 1*st April* 1878 *to* 31*st March* 1879.

Months.	Distraint compromised before appraisement.	Sales.	Distress set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distress set side after appraisement.	Total number of distresses for rent.	Amount of rent for which distresses were made.	Commission and fees deposited.
1878.								Rs. A. P.	Rs. A. P.
April	26	2	.....	5	2	.....	35	1,009 12 6	316 4 0
May	28	5	.....	...	6	....	39	3,454 5 3	502 0 0
June	29	7	... ..	6	6	.....	48	3,332 4 9	565 0 0
July	48	6	3	7	2	.....	66	3,447 8 6	560 8 0
August	24	5	2	4	1	.....	36	3,2?9 12 9	483 0 0
September	25	7	3	...	.....	.. ...	35	3,221 12 3	477 0 0
October	5	...	... ...	1	1	... ...	7	446 8 3	68 4 0
November	33	9	1	2	6	.. ..	51	3,331 8 6	521 0 0
December	16	3	1	3	2	.....	25	1,823 14 3	273 12 0
1879.									
January	30	6	1	1	3	.....	41	2,745 15 0	422 8 0
February	26	9	1	2	2	.....	40	3,879 5 6	571 4 0
March	29	12	1	1	2	.....	45	2,137 6 0	356 12 0
Total ...	319	71	13	32	33	.....	468	33,080 1 6	5,116 4 0

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 9.

Statement showing the amount of Fines from 1*st April* 1878 *to* 31*st March* 1879.

Months.	Amount. Rs. A. P.	Months.	Amount. Rs. A. P.
April 1878	41 8 0	November 1878	.....
May „	.....	December „	1 0 0
June „	.....	January 1879	.....
July „	2 0 0	February „	6 0 0
August „	.....	March „	10 0 0
September „	2 0 0		
October „	.....	Total ...	62 8 0

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court

No. 10.

Statement showing the Salaries of the Judges, Cost of the Establishment, Contingent and other Charges, from 1*st April* 1878 *to* 31*st March* 1879.

Months.	Salaries of Judges.	Establishment charges.	Commission allowed to bailiffs.	Contingent charges.	Total.
1878.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A P.	Rs. A. P.
April	6,100 0 0	6,950 3 3	304 6 0	130 2 9	13,484 12 0
May	6,100 0 0	6,911 5 6	369 8 0	137 6 9	13,518 4 3
June	6,100 0 0	6,856 5 10	363 0 0	113 15 0	13,433 4 10
July	6,100 0 0	6,846 7 0	394 8 0	173 4 0	13,514 3 0
August	6,100 0 0	7,007 1 6	377 4 0	132 7 6	13,616 13 0
September	6,100 0 0	7,083 14 0	424 8 0	233 9 6	13,841 15 6
October	6,100 0 0	7,099 11 9	426 14 0	18 8 0	13,645 1 9
November	6,100 0 0	6,956 7 3	201 2 0	115 6 0	13,372 15 3
December	6,100 0 0	6,926 15 0	320 0 0	89 0 6	13,435 15 6
1879.					
January	6,100 0 0	6,977 8 0	346 12 0	47 8 6	13,471 12 6
February	6,198 6 1	6,949 15 3	295 10 0	139 2 6	13,583 1 10
March	6,250 0 0	6,953 8 0	347 8 0	94 9 6	13,645 9 6
Total ...	73,448 6 1	83,519 6 4	4,171 0 0	1,425 0 6	1,62,563 12 11

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 11.

Statement showing the net amount credited to Government from 1st April 1878 to 31st March 1879.

Months.	Commission and fees paid in stamps.	Fines.	Unclaimed suitors' money.	Savings and refunded charges.	Total amount credited.	Remarks.
1878.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
April	19,983 4 9	41 8 0	175 13 6	(a) 2 11 4	20,203 5 7	(a) Recovery of a charge made from contingencies.
May	21,579 2 9	.....	172 10 6	.....	21,751 13 3	
June	20,503 13 9	.....	208 2 6	.....	20,712 0 3	
July	24,092 1 6	2 0 0	191 4 0	.....	24,285 5 6	
August	22,860 12 6	.....	258 15 5	(b) 362 6 0	23,482 1 11	(b) Sale proceeds of unclaimed properties belonging to suitors.
September	20,586 13 0	2 0 0	237 13 6	.....	20,826 10 6	
October	7,289 7 0	.....	45 11 9	(c) 46 6 6	7,381 10 6	(c) Ditto of ditto and old furniture belonging to the Court.
November	21,700 13 8	.....	157 6 7	.....	21,916 3 10	
December	14,121 8 6	1 0 0	144 4 6	.....	14,266 13 0	
1879.						
January	24,013 5 9	.....	.....	(d) 6 10 0	24,018 15 9	(d) Ditto of old gurran wood belonging to Court.
February	21,521 9 9	6 0 0	.....	.....	21,527 9 9	
March	22,042 0 9	10 0 0	674 10 6	.....	22,326 11 3	
Total ...	2,40,953 13 3	62 8 0	2,266 12 0	418 3 10	2,43,701 5 1	
Deduct paid commission, &c., on sale of unclaimed properties and old furniture ...					31 13 0	
				Net receipts ...	2,43,669 8 1	

Calcutta Court of Small Causes,
The 23rd June 1879.

Douglas White,
Offg. Fifth Judge and Clerk of the Court.

No. 12.

Statement of Indigent Debtors relieved from 1st April 1878 to 31st March 1879, prepared in conformity with Mr. Eden's letter No. 873T., dated 1st October 1863.

Date and Month.	Names of parties relieved.	Amount paid
1878.		Rs. A. P.
6th April	Sreemutty Peeron Bebee	8 3 0
2nd May	Mrs. L. C. Young	18 6 3
14th "	Mrs. R. Murphy	6 0 0
17th June	Ditto	6 0 0
19th "	Wooma Bareewally	8 6 9
17th July	Mrs. R. Murphy	6 0 0
13th August	Woojullah Bewah	6 1 9
20th "	Mrs. R. Murphy	6 0 0
5th September	C. McLeod	12 0 0
19th "	Mrs. R. Murphy	6 0 0
24th "	Mr. Texeira	7 10 0
24th October	Mrs. R. Murphy	6 0 0
22nd November	Ditto	6 0 0
18th December	Ditto	6 0 0
18th "	Silas Richards	4 10 0
1879.		
18th January	Mrs. R. Murphy	6 0 0
1st February	C. Gardner	97 13 9
17th "	Mrs. R. Murphy	6 0 0
13th March	Mr. Brown	24 8 0
15th "	C. Gore	2 15 0
19th "	Mrs. R. Murphy	6 0 0
	Total ...	266 10 6

Calcutta Court of Small Causes,
The 23rd June 1879.

Douglas White,
Offg. Fith Judge and Clerk of the Court.

No. 13.

Statement of the number of Ex-parte *Cases disposed of by the Judges of the Calcutta Court of Small Causes from 1st April 1878 to 31st March 1879.*

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1878.						
April	26	115	123	133	203	594
May	27	124	135	145	180	611
June	26	135	105	164	208	638
July	44	170	137	196	272	819
August	29	129	130	127	255	670
September	40	191	159	151	319	860
October	15	25	24	25	80	169
November	41	175	134	150	325	814
December	27	125	87	107	191	537
1879.	47	163	177	116	239	742
January						
February	24	168	194	146	280	812
March	47	155	186	171	284	843
Total ...	387	1,675	1,591	1,620	2,836	8,109

Calcutta Court of Small Causes,
The 23rd June 1879.

Douglas White,
Offg. Fifth Judge and Clerk of the Court.

No.

Comparative

	1st Year, 1850-51.	2nd Year, 1851-52.	3rd Year, 1852-53.	4th Year, 1853-54.	5th Year, 1854-55.	6th Year 1855-56.
	No.	No.	No.	No.	No.	No.
Number of cases instituted ... { English ...	4,407	4,544	4,796	4,397	4,402	5,617
Number of cases instituted ... { Native ...	16,916	23,205	22,085	20,058	20,201	21,421
Total ...	21,323	27,749	26,881	24,455	24,603	27,038
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated	4,47,381 0 0	5,31,499 12 4	5,17,063 5 10	5,08,820 11 10	5,25,159 3 4	6,63,241 11 11
Commission and fees paid into Court in institution of suit	59,531 14 0	73,938 8 9	73,763 13 0	73,212 14 3	75,870 7 9	90,844 10 3
Amount credited to Government. Net amount of commission and fees credited to Government on suits	57,452 13 6	74,799 4 9	77,202 4 9	75,180 7 6	73,393 9 6	90,383 9 3
Amount credited to Government. Ditto on distresses for rent ...	1,510 7 0	1,778 8 0	1,969 8 0	1,629 0 0	1,430 12 0	1,543 4 0
Amount credited to Government. Amount credited to Government on account of fines ...	651 6 6	585 4 3	484 13 3	786 15 9	240 12 3	253 14 9
Amount credited to Government. Ditto on account of unclaimed moneys belonging to suitors and landlords ...	.....	.....	.....	.....	.....	.....
Amount credited to Government. Ditto on account savings from salaries, sale of old furniture, records, &c.	207 6 0	712 0 3	100 9 3	.....	695 3 3	28 0 9
Amount credited to Government. Net total amount credited to Government in the cash account	59,822 1 0	77,875 1 3	79,757 3 3	77,596 7 3	75,760 5 5	92,158 12 9
Amount paid in Court under decrees, &c.	2,46,313 0 0	2,81,804 11 0	1,14,017 2 9	1,08,620 7 11	1,12,190 14 4	1,39,573 15 7
Amount paid out of Court on account of decrees, &c.	2,43,604 0 0	3,79,736 3 9	1,12,694 4 9	1,08,112 6 6	1,11,347 0 6	1,40,190 7 3
	No.	No.	No.	No.	No.	No.
Number of days on which the Court was open	258	274	277	260	235	254
Average number of cases instituted daily	82·6	101·2	96·6	94·0	105·0	106·4
Rs.						
Cases under 5 ...	.....	.....	.....	.....	.....	.....
Ditto 10 ...	12,791	18,111	17,178	15,155	15,103	15,727
Ditto 20 ...	3,363	4,589	4,495	4,231	4,382	4,871
Ditto 50 ...	2,422	3,275	3,226	3,085	3,103	3,723
Ditto 100 ...	792	948	1,028	992	1,035	1,400
Ditto 200 ...	480	586	646	558	600	754
Ditto 300 ...	186	224	217	232	213	344
Ditto 400 ...	86	116	98	103	130	133
Ditto 500 ...	67	100	95	104	97	106
Ditto 600 ...	.....	.....	.....	.....	.....	.....
Ditto 700 ...	.....	.....	.....	.....	.....	.....
Ditto 800 ...	.....	.....	.....	.....	.....	.....
Ditto 900 ...	.....	.....	.....	.....	.....	.....
Ditto 1,000 ...	.....	.....	.....	.....	.....	.....
Cases above 1,000 ...	.....	.....	.....	.....	.....	.....
Number of summonses issued ...	51,889	68,174	65,863	59,118	58,951	64,281
Ditto of second summonses ...	.....	9,306	7,674	5,605	5,085	2,056
Ditto of subpœnas	18,952	23,300	21,920	19,917	18,612	20,717
Ditto of attachments	.....	809	1,368	853	320	474
Ditto of writs of execution ...	3,918	4,904	6,029	5,245	4,939	6,174
Ditto of bench warrants	.....	.....	157	142	79	89
Ditto of copies of judgments ...	167	215	226	176	187	173
Ditto of commitments	448	624	1,040	611	623	573
Warrants to sue and defend filed ...	2,170	3,205	2,675	3,106	3,340	4,128
Judgments for plaintiffs	8,339	10,548	9,512	8,993	8,896	11,068
Ditto for defendants	688	952	1,747	1,742	1,403	1,239
Nonsuited	4,172	5,831	6,532	2,752	2,543	3,028
Struck out and compromised ...	6,655	10,222	9,419	11,583	11,168	11,490
Undecided and pending	333	380	284	406	156	102
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned in cases compromised	10,533 5 6	9,939 11 9	6,341 9 9	12,004 15 6	11,091 2 3	11,846 0 0

14.

Table.

7th Year, 1856-57.	8th Year, 1857-58.	9th Year, 1858-59.	10th Year. 1859-60.	11th Year, 1860-61.	12th Year, 1861-62.	13th Year, 1862-63.	14th Year, 1863-64.	15th Year, 1864-65.
No.	No.	No.	No.	No.	No.	No.	No.	No.
6,254 22,412	5,834 25,009	5,450 24,506	6,452 25,835	6,524 25,253	6,650 26,574	6,282 27,299	6,409 28,472	6,820 29,128
28,666	30,843	29,956	32,287	31,777	33,224	33,581	34,880	35,948
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
7,38,111 2 6	8,01,824 6 0	7,65,412 11 1	9,35,003 0 9	9,78,039 4 10	11,19,418 6 0	10,54,228 11 7	12,10,923 6 11	17,66,551 4 7
1,01,464 2 0	1,12,778 12 9	1,09,269 7 6	1,33,817 7 0	1,39,247 12 6	1,58,436 0 3	1,49,070 0 6	1,64,563 15 9	2,17,400 0 6
1,00,801 14 0	1,12,624 6 9	1,07,918 0 9	1,28,092 15 3	1,36,073 3 9	1,57,258 5 3	1,49,725 12 6	1,63,728 3 0	2,12,255 13 9
1,000 0 0	1,157 0 0	839 0 0	1,482 12 0	1,529 8 0	11,187 1 0	1,553 8 0	1,974 12 0	1,260 8 0
493 5 3	343 5 9	202 8 0	191 12 0	125 0 0	330 0 0	263 1 9	102 7 0	345 12 6
785 4 9	9,720 13 3	1,368 0 3	1,467 12 10	1,431 14 3	2,314 2 10	3,056 4 9	3,106 1 6	3,517 1 2
15 9 6	235 9 5	88 2 9	8 15 6	6 1 3	10 4 1	0 12 3	102 5 3	87 10 9
1,03,696 1 6	1,24,101 3 2	1,10,915 11 9	1,32,144 3 7	1,39,165 11 8	1,61,100 5 2	1,54,599 7 3	1,68,403 11 9	2,17,475 13 5
1,72,973 6 8	1,98,524 3 1	1,84,062 0 10	2,16,986 14 10	2,20,051 5 4	2,48,762 7 1	2,37,201 8 11	2,67,248 7 6	3,48,284 2 5
1,70,817 14 2	1,96,833 0 10	1,84,094 3 2	2,16,302 0 2	2,16,821 13 11	2,44,001 3 3	2,38,330 8 5	2,56,084 7 5	3,46,284 14 0
No.	No.	No.	No.	No.	No.	No.	No.	No.
246	250	248	249	253	259	265	267	261
116·5	123·3	121·7	129·6	125·6	123·2	126·7	130·6	137·7
.....	.....	.....	.....	.....	.....	.....	.....	.....
16,325	17,303	16,667	17,032	16,096	16,948	18,689	19,838	20,501
5,174	5,708	5,850	6,118	5,791	6,310	5,686	6,190	5,724
4,088	4,417	4,745	4,869	5,019	5,253	4,156	3,394	3,378
1,511	1,040	1,618	2,033	2,100	2,189	2,372	2,430	2,882
902	932	932	1,205	1,114	1,216	1,378	1,205	1,471
331	391	387	483	510	646	580	765	807
173	169	172	257	296	370	206	495	414
161	214	185	235	232	257	224	398	236
.....	.....	.....	.....	.....	.....	.....	6	161
.....	.....	.....	.....	.....	.....	.....	2	121
.....	.....	.....	.....	.....	.....	.....	2	90
.....	.....	.....	.....	.....	.....	.....	3	70
.....	.....	.....	.....	.....	.....	.....	3	104
.....	.....	.....	.....	.....	.....	...	.....	.....
67,087	61,405	70,012	42,877	42,351	40,042	43,042	44,789	46,807
1,587	1,724	1,358	757	824	910	1,210	1,425	1,207
22,812	22,777	23,279	25,414	24,733	29,116	30,670	31,857	30,882
240	418	337	378	455	279	132	159	74
7,109	8,078	7,694	8,203	8,088	8,430	8,244	9,128	9,403
30	19	14	25	18	13	15	17	25
184	217	236	348	431	413	353	370	329
600	630	559	630	509	510	510	520	573
4,700	5,743	4,574	5,088	5,025	6,211	5,930	5,950	6,109
2,211	13,281	12,447	13,657	13,048	14,156	14,125	14,928	15,323
1,022	1,156	1,412	1,617	1,726	1,986	1,986	2,162	2,023
3,208	3,350	2,906	2,721	3,448	2,808	3,046	2,563	2,018
11,927	12,930	13,153	14,088	13,847	14,104	14,305	15,129	15,512
100	154	91	156	179	197	197	169	165
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
12,903 6 0	14,779 13 8	14,772 0 0	17,889 5 8	18,918 3 0	22,865 14 0	22,976 4 6	24,071 3 9	30,194 10 0

Comparative

	16th Year, 1865-66.	17th Year, 1866-67.	18th Year, 1867-68.	19th Year, 1868-69.	20th Year, 1869-70.	21st Year, 1870-71.
	No.	No.	No.	No.	No.	No.
Number of cases instituted ... { English	7,226	6,244	6,593	5,912	6,695	6,447
Native	30,098	27,707	23,621	25,767	27,645	25,892
Total ...	37,324	33,951	30,214	31,679	34,340	32,339
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated	20,20,308 4 3	17,32,378 12 0	16,45,704 4 10	16,98,069 4 0	16,49,525 15 5	16,07,311 8 7
Commission and fees paid into Court in institution of suits	2,33,371 3 3	2,00,994 1 6	2,11,840 2 6	2,21,692 2 3	2,45,036 14 6	2,56,026 4 0
Amount credited to Government. — Net amount of commission and fees credited to Government on suits	2,26,522 5 9	1,98,760 7 6	2,10,540 0 6	2,21,311 4 3	2,26,040 7 3	2,07,768 3 0
Ditto on distresses for rent ...	2,312 12 0	2,745 4 0	1,639 8 0	1,265 4 0	.....	.....
Amount credited to Government on account of fines ...	114 8 0	283 2 3	141 8 0	262 0 0	169 10 0	111 0 0
Ditto on account of unclaimed moneys belonging to suitors and landlords ...	1,720 2 5	3,330 5 3	4,256 14 11	4,356 4 5	5,797 8 9	5,477 4 9
Ditto on account of savings from salaries, sale of old furniture, records, &c.	209 11 0	100 5 0	17 14 0	19 12 0	13 8 0	5 6 0
Net total amount credited to Government in the cash account...	2,30,879 7 2	2,05,228 8 0	2,16,595 13 5	2,27,214 8 8	2,23,021 2 0	2,13,301 13 9
Amount paid in Court under decrees, &c.	3,14,584 7 0½	2,68,476 12 5	3,04,351 13 9	3,06,719 9 4	3,90,984 11 4	3,06,869 11 9
Amount paid out of Court on account of decrees, &c.	3,17,521 12 10½	2,66,356 12 2	3,02,320 5 0	3,11,799 8 4	3,96,035 3 6	3,68,956 1 6
	No.	No.	No.	No.	No.	No.
Number of days on which the Court was open	263	240	254	253	254	248
Average number of cases instituted daily	141·9	141·46	118·95	125·22	135·19	130·3
Rs.						
Cases under 5 ...	.....	.....	.....	.....	.....	.....
Ditto 10 ...	20,768	19,867	16,298	12,669	14,436	13,286
Ditto 20 ...	6,281	5,610	5,257	6,656	7,044	6,741
Ditto 50 ...	4,080	3,154	3,542	6,004	6,619	6,330
Ditto 100 ...	2,486	2,278	2,014	2,568	2,762	2,659
Ditto 200 ...	1,563	1,118	1,093	1,723	1,917	1,560
Ditto 300 ...	693	639	576	655	657	662
Ditto 400 ...	447	441	357	355	334	362
Ditto 500 ...	302	224	288	260	250	232
Ditto 600 ...	140	153	187	168	190	153
Ditto 700 ...	158	124	153	151	127	124
Ditto 800 ...	139	105	137	108	110	95
Ditto 900 ...	122	93	128	90	65	89
Ditto 1,000 ...	145	103	145	125	120	137
Cases above 1,000 ...	.....	.....	.....	.....	.....	.....
Number of summonses issued ...	48,218	43,603	39,830	40,851	43,588	40,883
Ditto of second summonses ...	1,515	925	1,005	1,346	1,286	1,517
Ditto of subpœnas	35,302	25,721	29,488	30,354	30,229	31,435
Ditto of attachments	24	23	14	13	16	13
Ditto of writs of execution ...	9,000	7,925	7,430	7,291	8,654	8,302
Ditto of bench warrants	28	7	8	3	4	7
Ditto of copies of judgments ...	438	433	377	420	511	570
Ditto of commitments	580	506	381	321	367	363
Warrants to sue and defend filed ...	5,820	4,345	3,781	4,330	5,677	6,343
Judgments for plaintiffs	16,188	14,803	13,006	13,376	15,897	14,196
Ditto for defendants	1,813	1,483	1,565	1,502	1,444	1,364
Nonsuited	3,520	3,749	3,698	3,766	3,385	3,178
Struck out and compromised ...	15,882	13,434	12,570	12,944	13,530	13,196
Undecided and pending	171	1,666	1,039	1,070	1,154	1,569
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned in cases compromised	35,568 3 3	27,419 7 3	29,462 10 3	31,668 11 9	28,358 0 3	31,122 4 6

CALCUTTA COURT OF SMALL CAUSES,

The 23rd June 1879.

Table—concluded.

22nd Year, 1871-72.	23rd Year, 1872-73.	24th Year, 1873-74.	25th Year, 1874-75.	26th Year, 1875-76.	27th Year, 1876-77.	28th Year, 1877-78.	29th Year, 1878-79.
No.	No.	No.	No.	No.	No.	No.	No.
6,384 25,152	6,566 28,277	5,940 28,643	5,892 29,091	5,883 28,619	5,632 27,008	5,917 27,593	5,979 31,702
31,536	34,843	34,583	34,983	34,502	32,640	33,510	37,681
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P	Rs. A. P	Rs. A. P.
15,28,938 10 2	16,23,110 7 11	16,11,535 5 1	15,70,142 10 7	15,82,873 2 10	14,42,611 11 8	17,11,118 3 11	18,70,566 3 3
2,25,866 6 6	2,47,996 7 0	2,35,956 9 6	2,33,758 13 0	2,36,071 13 0	2,25,235 11 0	2,59,783 8 6	2,87,402 14 6
1,97,409 5 6	2,15,218 4 0	2,02,865 7 0	1,99,116 14 9	1,96,391 9 9	1,89,392 3 9	2,18,704 4 6	2,40,953 13 3
.....	.....	.....	.....	.....	.....	.....	.....
85 4 0	114 12 0	54 8 0	199 12 0	72 0 0	146 11 0	101 12 0	62 8 0
5,543 15 9	7,051 4 3	4,850 3 0	4,939 7 3	2,811 4 3	2,356 15 10	2,411 3 0	2,266 12 0
.....	144 9 6	4 1 0	318 11 6	.....	0 10 0	1 9 0	418 3 10
2,03,038 9 3	2,22,528 13 9	20,774 3 0	2,04,574 13 6	1,99,256 14 0	1,91,866 8 7	2,21,218 12 6	2,43,701 5 1
3,76,171 1 6	4,03,612 6 4	3,41,187 2 3	3,39,380 0 2	3,06,934 3 4	3,03,920 10 4	3,48,180 11 4	3,83,978 1 3¼
3,69,432 15 9	3,99,836 5 7	3,22,970 11 10	3,39,504 9 6	3,08,801 2 8	3,01,479 11 11	3,38,572 5 10	3,76,965 5 7½
No.	No.	No.	No.	No.	No.	No.	No.
245	264	266	260	266	261	267	262
128·7	131·9	130·3	134·5	129·7	125·5	125·5	143·8
6,805	7,859	7,717	8,287	8,093	7,395	7,267	8,559
6,652	7,182	6,906	6,946	6,998	6,622	6,454	7,252
6,518	7,174	7,462	7,316	7,217	6,825	6,926	7,638
6,034	6,550	6,499	6,514	6,403	6,188	6,426	7,260
2,412	2,719	2,703	2,693	2,577	2,401	2,840	3,037
1,496	1,609	1,652	1,560	1,584	1,551	1,654	1,850
550	647	612	613	596	586	681	743
335	307	335	351	309	298	352	364
202	221	190	214	182	165	226	245
172	170	172	151	166	167	192	198
110	136	98	110	103	103	159	134
87	87	88	73	90	87	102	105
60	73	61	78	80	45	95	96
97	109	88	97	63	73	79	120
.....	.....	.....	.....	41	44	5	80
39,729	44,136	43,468	46,056	43,691	42,605	43,316	48,365
1,508	1,510	1,184	1,417	1,661	1,649	2,110	2,513
31,631	32,918	32,781	29,029	29,886	28,690	28,975	29,521
39	47	44	50	28	32	28	44
8,500	9,250	8,657	9,269	9,475	8,777	8,837	9,985
2	56	84	109	62	42	34	34
484	419	486	402	408	336	353	407
358	428	496	509	420	373	370	449
5,986	6,897	6,463	5,668	5,899	5,379	5,073	6,891
14,900	15,182	14,761	15,327	15,144	13,990	14,340	16,950
1,397	1,450	1,383	1,322	1,361	1,504	1,502	1,423
3,221	3,548	3,569	3,195	3,015	2,515	2,248	2,096
12,709	14,333	14,616	15,273	15,172	14,583	15,144	17,058
870	1,206	1,416	1,326	1,166	1,214	1,490	1,644
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
29,919 0 0	34,523 1 3	34,349 10 9	37,061 8 0	39,680 3 3	35,873 7 3	41,079 4 0	46,449 1 3

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

No. 15.

Statement showing the number of Mofussil Commissions issued to the Calcutta Court of Small Causes, under section 177 of Act VIII of 1859 and Act X of 1877, for the year 1878-79.

Months.	Number of commissions received.	Number of commissions executed.	Number of witnesses examined.	By what Judge disposed of.
1878.				
April ...	16	4	12	Fifth Judge.
May ...	25	10	20	Ditto.
June ...	13	10	15	Ditto.
July ...	24	14	19	Ditto.
August ...	16	7	13	Ditto.
September ...	10	9	34	Ditto.
October ...	4	2	3	Ditto.
November ...	20	8	25	Ditto.
December ...	13	6	14	Ditto.
1879.				
January ...	25	8	12	Ditto.
February ...	25	12	19	Ditto.
March ...	17	6	7	Ditto.
Total ...	213	96	193	

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 16.

Statement showing the number of after-Judgment Processes, including Attachments, issued during the year from 1st April 1878 to 31st March 1879.

1	2	3	4	5	6	7	8
	Number of processes applied for.	Number in which money was deposited after process applied for, but before execution.	Number executed.	Number unexecuted and returned with the remark *nulla bona and non est inventus.*	Number of writs applied for, but not carried into execution by the parties themselves.	Number pending on 31st March 1879.	Total number of columns 3 to 7.
Seal warrants	3,800	121	2,808	497	259	115	3,800
Body ditto	6,229	481	2,950	2,051	446	301	6,229
Total ...	10,029	602	5,758	2,548	705	416	10,029
Copies of judgments and certificates for execution out of the jurisdiction of the Court							407

	Seal warrants.	Body warrants.
By three European bailiffs	838	850
By three native seal ditto	1,970	...
By 40 body-warrant ditto	...	2,100
Total ...	2,808	2,950

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 17.

Statement showing the number of Cases decided wholly and partially in favour of Plaintiffs by each Judge from 1st April 1878 to 31st March 1879.

		First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1878.							
April	Wholly	87	232	254	227	237	1,037
	Partially	11	87	61	85	15	259
May	Wholly	41	232	245	246	293	1,057
	Partially	21	96	73	91	24	305
June	Wholly	53	255	240	260	331	1,139
	Partially	16	96	54	86	47	299
July	Wholly	81	290	263	303	427	1,364
	Partially	16	117	61	109	58	356
August	Wholly	64	251	276	228	391	1,210
	Partially	20	112	61	89	42	324
September	Wholly	74	331	326	268	475	1,474
	Partially	14	113	61	77	43	308
October	Wholly	25	51	46	44	124	290
	Partially	6	16	11	10	6	49
November	Wholly	66	271	270	242	477	1,326
	Partially	14	91	62	87	58	312
December	Wholly	48	204	142	216	288	898
	Partially	16	81	57	40	23	217
1879.							
January	Wholly	75	264	281	210	337	1,167
	Partially	13	83	42	56	30	224
February	Wholly	41	270	304	267	411	1,293
	Partially	14	131	53	71	36	305
March	Wholly	68	345	323	273	447	1,456
	Partially	24	107	39	63	54	287
Total	Wholly	673	2,996	2,970	2,784	4,289	13,711
	Partially	185	1,130	635	858	431	3,239

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 18.

Statement showing the number of Cases instituted before each Judge from 1st April 1878 to 31st March 1879.

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1878.						
April	92	670	665	686	777	2,890
May	119	712	681	674	779	2,965
June	135	748	739	744	782	3,148
July	159	845	851	871	1,075	3,801
August	171	801	774	778	966	3,490
September	181	770	740	740	936	3,367
October	65	249	247	248	430	1,239
November	204	794	789	807	1,206	3,800
December	90	510	476	469	582	2,127
1879.						
January	165	779	750	758	1,099	3,551
February	142	814	801	797	1,043	3,597
March	157	837	809	811	1,092	3,706
Total	1,680	8,529	8,322	8,383	10,767	37,681

CALCUTTA COURT OF SMALL CAUSES,
The 23rd June 1879.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 19.

Cases referred for the opinion of the High Court.

Cause Title.	Judge.	By the Court of its own motion.	By the Court at the request of the parties.	Remarks.
H. Mackintosh *vs.* D. Churcher	3rd Judge	1	.....	Confirmed.
Biddamoye Dabee *vs.* Sittaram	1st ,,	.....	1	Reversed.
Ditto *vs.* Soobul Dass Mullick	1st ,,	.....	1	Ditto.
Angelis & Co. *vs.* Moyapa Setty	1st ,,	.....	1	No return.
Rezzuddy Mistry *vs.* Someer Ghoramey	3rd ,,	1	.....	Confirmed.
Mohanundo Ram *vs.* Pragjee Poorusuttom	1st ,,	.....	1	New trial ordered.
F. S. Collis *vs.* Kedarnath Moitry	1st & 2nd	.....	1	Confirmed.
Total ...	.....	2	5	

Calcutta Court of Small Causes,
The 23rd June 1879.

Douglas White,
Offg. Fifth Judge and Clerk of the Court.

No. 20.

Statement showing the number of Mofussil Processes received for service from 1st April 1878 to 31st March 1879.

Months.	Number of Processes received.	Number in which costs were paid.	Amount of costs paid in stamps.
1878.			Rs. A. P.
April	162	99	275 10 0
May	235	146	509 6 0
June	203	139	536 6 0
July	236	172	403 8 0
August	203	133	458 12 0
September	192	112	389 10 0
October	35	8	65 2 0
November	174	105	321 10 0
December	127	68	205 0 0
1879.			
January	187	113	352 14 0
February	184	115	312 4 0
March	224	144	397 0 0
Total ...	2,162	1,364	4,227 2 0

Calcutta Court of Small Causes,
The 23rd June 1879.

Douglas White,
Offg. Fifth Judge and Clerk of the Court.

E. F. M.—Reg. No. 4227—250—8-7-79.

RESOLUTION.

JUDICIAL.

Calcutta, the 19th August 1879.

READ—

Report on the Calcutta Court of Small Causes for 1878-79.

The report shows that the number of cases instituted during the year was higher than in any previous year since the establishment of the Court. The total number of institutions was 37,681, or 4,171 in excess of the number in 1877-78. The amount in litigation was Rs. 18,70,566, a larger amount than in any previous year except 1865-66.

2. The increase in litigation in the year under review is noticeable in cases of every value, but especially in suits of small amount, in which there was a considerable decrease during the previous two years. The number of suits of different values in each of the past five years is shown in the following statement:—

	1874-75.	1875-76.	1876-77.	1877-78.	1878-79.
Cases below Rs. 5	8,287	8,093	7,395	7,267	8,559
„ between Rs. 5 and Rs. 50	20,776	20,618	19,635	19,806	22,150
„ „ „ 50 „ 100	2,693	2,577	2,491	2,840	3,037
„ „ „ 100 „ 500	2,718	2,671	2,600	2,913	3,202
„ „ „ 500 „ 1,000	478	503	475	627	653
„ above „ 1,000	36	41	44	57	80
Total ...	34,983	34,503	32,640	33,510	37,681

3. The Judges have been unable to offer any very positive explanation of this sudden increase. It is noticed, however, that there were 2,574 more suits for goods sold and delivered than in the previous year, and it may be, as suggested by the Judges, that the present high rates of provisions compel shop-keepers to sue their customers in order to secure payment. The increase in suits of high value is not so large as to require any explanation. The year 1877 was one of great activity in trade, and the transactions of that year, which explained the number of suits of high value in 1877-78, no doubt affected also the litigation of the past year.

4. The extension of sections 26 to 30, 32, 90, 137, 192 (with the exception of the last paragraph), 209, 223, 225, and 383 to 387 of the Code of Civil Procedure to the Calcutta Court of Small Causes was notified in October last, and the powers of the Court have not only thereby been more clearly defined, but in some important points materially increased. The change effected by the fifth Judge in the system under which sales of property in execution of the decrees of the Court are conducted appears to have had good results.

5. The following statement shows the result of the trials of the past three years, and it is satisfactory to find that the very large increase in the number of cases is composed entirely of suits in which the plaintiff had apparently good grounds for resorting to litigation. The number of suits in which the decision was adverse to the plaintiff was less than in either of the previous two years:—

	1876-77.	1877-78.	1878-79.
For plaintiffs after trial	7,073	7,402	8,841
Ditto *ex-parte*	6,917	6,938	8,109
Compromised	11,601	12,010	13,700
Nonsuited	2,515	2,348	2,096
Dismissed after trial	1,504	1,502	1,423
Ditto in default of plaintiff	3,082	3,134	3,358
	Against plaintiff, 7,101.	Against plaintiff, 6,984.	Against plaintiff, 6,877.
Total ...	32,692	33,334	37,527

6. The receipts of the year amounted to Rs. 2,43,670 and the expenditure to Rs. 1,62,564. The net sum to be credited to the General Revenues was therefore Rs. 81,106 as compared with Rs. 67,359 in the previous year. The net revenue from fees on the service of mofussil processes was about Rs. 3,737.

7. In accordance with the instructions already communicated to the Judges, the next report will be for the calendar instead of for the financial year. The report should be for the whole year 1879, and not only for the nine months from the 1st April last.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes.

By order of the Lieutenant-Governor of Bengal,

HORACE A. COCKERELL,

Secretary to the Government of Bengal.

No. 3446.

COPY forwarded to the Judges of the Calcutta Court of Small Causes for information.

By order of the Lieutenant-Governor of Bengal,

H. M. KISCH,

Offg. Under-Secy. to the Govt. of Bengal.

CALCUTTA ;
The 19th August 1879.

C. E. G.—Reg. No. 5913—20-8-79.